



# MEMORANDUM OF UNDERSTANDING

AMONG

**Chesapeake Executive Council, Headwater State Jurisdictions  
and Members of the Lawn Care Product Manufacturing Industry**

REGARDING

**The Healthy Lawns and Clean Water Initiative:  
Reducing Nutrient Losses from Lawns Through a Public-Private Stewardship Partnership**

WHEREAS, nutrient losses from all contributing activities on developed lands account for about one quarter of the excess phosphorus and one eighth of the excess nitrogen loads entering the Chesapeake Bay;

WHEREAS, nutrient losses from developed lands are continuing to increase due to low- to medium-density development consuming lands at rates five times the rate of population growth;

WHEREAS, much of the loss of nutrients from fertilization of lawns occurs due to misapplication onto drives, sidewalks and curbs, which can best be prevented by a Stewardship Program approach that reduces the amount of material applied/misapplied so it cannot be lost due to off-target application, and

WHEREAS, Members of the Lawn Care Product Manufacturing Industry, represented by The Scotts Company LLC, have been working diligently with the Chesapeake Bay Program and the Land Grant Universities of the watershed to develop a scientifically based, environmentally beneficial and economically viable Stewardship Program to reduce nutrient losses from homeowner fertilized lawns.

NOW, THEREFORE, WE, THE UNDERSIGNED MEMBERS OF THE LAWN CARE PRODUCT MANUFACTURING INDUSTRY, DO HEREBY COMMIT TO:

➤ Achieve a 50 percent reduction in pounds of phosphorus applied in lawn care products in the Chesapeake Watershed by 2009 as compared to a 2006 base year. The Manufacturers will self-report to the Chesapeake Bay Program at the end of each calendar year after 2006 the pounds of phosphorus sold at the retail level by state as the measure of achievement of this commitment. Each manufacturer shall decide how it will achieve this goal. This goal and agreement are not endorsements of any lawn care product by any signatories to this Memorandum, but represent a commitment by signatory corporations to achieve a 50 percent reduction in phosphorus application to lawns in the Chesapeake Bay states from use of their products by 2009.

FURTHERMORE, WE THE UNDERSIGNED SIGNATORIES TO THIS MEMORANDUM, COMMIT TO:

- Convene a technical group co-led by Members of the Lawn Care Product Manufacturing Industry and the Chesapeake Bay Program to develop a Stewardship Program to reduce nitrogen nutrient losses by recommending possible changes in product content, form, or application method in lawn care.
- The recommended Stewardship Program for lawn care products will be finalized by September 2007 to allow the Executive Council and Members of the Lawn Care Product Manufacturing Industry to sign a second Memorandum of Understanding regarding nitrogen at the 2007 Executive Council meeting.

- Initiate a similar dialogue to recommend by September 2008 possible changes regarding pesticide use through implementation of Integrated Pest Management principles that could result in substantial reduction in pesticide loadings to the Chesapeake Bay watershed.
- Develop, in cooperation with Land Grant Universities of the watershed jurisdictions, consumer messaging and education about best application and management practices for use of lawn care products, through such means as mass media campaigns and point-of-sale consumer education programs at major retailers.
- Use the reduction in phosphorus application resulting from this Memorandum of Understanding, in

combination with proposed Tributary Strategy stormwater and urban nutrient management programs and other actions, to achieve nutrient reductions from developed lands.

- Continue to work together to promote public-private cooperation and partnerships to further address Chesapeake Bay water quality and living resource goals.
- Use the strong public-private partnership established through this joint initiative as a model for additional cooperative efforts with other business and industry sectors.

September 22, 2006

### CHESAPEAKE EXECUTIVE COUNCIL

FOR THE STATE OF MARYLAND



*Robert S. Elly*

FOR THE CHESAPEAKE BAY COMMISSION



*Mr. H. H. H.*

FOR THE DISTRICT OF COLUMBIA



*Gregory A. Williams*

FOR THE COMMONWEALTH OF PENNSYLVANIA



*Edward G. Rendell*

FOR THE COMMONWEALTH OF VIRGINIA



*[Signature]*

FOR THE UNITED STATES OF AMERICA



\* \* \* \* \*

FOR THE STATE OF DELAWARE



*John D. Hedges*

FOR THE STATE OF NEW YORK



*Patricia A. Moore*

FOR THE STATE OF WEST VIRGINIA



*W. B. B.*

FOR THE SCOTTS CORPORATION, LLC



*Richard Martinez*

FOR THE LEBANON SEABOARD COMPANY



*Khuram J. Saifi*